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In re Application of	:	<b>OFFICE OF PETITIONS</b>
Heidi Wachter	:	
Application No. 10/787,135	:	DECISION ON PETITION
Filed: April 27, 2004	:	
Attorney Docket No. 249404US26	:	

This is in response to the petition under 37 CFR 1.47(b), filed October 20, 2004. Petitioner submitted a three-month extension of time to reply. Accordingly, the petition is timely filed.

The petition is granted.

Petitioner has shown that Heidi Wachter, the non-signing inventor, has refused to join in the filing of the above-identified application after having been presented with the application papers. Specifically, the Declaration of Facts of Philip Hoffmann establishes that the inventor was mailed the application papers, including the specification, claims and drawings, but failed to respond to the request that she sign the declaration. In addition, petitioner states Mitsubishi Chemical America, Inc. has a proprietary interest in the above-identified application because Ms. Wachter assigned the subject matter of provisional application No. 60/139,478, to Mitsubishi Chemical America, Inc., which is the same subject matter of the above-identified application. A copy of the assignment accompanies the petition. Furthermore, petitioner authorized payment of the petition fee. Lastly, petitioner has submitted a declaration in compliance with 37 CFR 1.63 and 1.64 and demonstrated that such action is necessary to prevent irreparable damage.

This application and papers have been reviewed and found in compliance with 37 CFR 1.47(b). This application is hereby accorded Rule 1.47(b) status. As provided in Rule 1.47(c), this Office will forward notice of this application's filing to the non-signing inventor at the address given in the Declaration. Notice of the filing of this application will also be published in the Official Gazette.

Telephone inquiries should be directed to the undersigned at (571) 272-3211.

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